

REMARKS

I. Introduction

Claims 1-65 were pending in the application at the time the present Office Action was mailed. Claims 1, 4, 13, 14, 26, 30, 37, and 53 have been amended. No claims have been added or canceled. Accordingly, claims 1-65 remain pending.

II. Objections and Rejections

The Office Action objected to the specification and rejected claims 1-65. More specifically, the status of the claims in light of the Office Action is as follows:

(A) The amendment filed May 21, 2007 was objected to under 35 U.S.C. § 132(a);

(B) Claims 1-24, 26-30, 32, 34-36, and 53-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,623,659 to Shi et al. ("Shi") in view of U.S. Patent No. 6,529,905 to Bray et al. ("Bray") and U.S. Patent No. 4,965,719 to Shoens et al. ("Shoens"); and

(C) Claims 25, 31, 33, and 37-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shi in view of Bray, Shoens, and U.S. Patent No. 5,390,316 to Cramer et al. ("Cramer").

Applicants respectfully traverse these rejections.

Applicants' representative thanks the Examiner for the telephonic interview completed on December 12, 2007. During that telephonic interview, the parties discussed the pending claims and the applied references. Applicants have amended the claims accordingly. Should the Examiner need further information relating to the telephonic interview, he is asked to contact the undersigned.

III. Responses to Objection and Rejections

A. Response to the Objection to the Specification

The Office Action objected to the amendment filed May 21, 2007 under 35 U.S.C. § 132(a), stating that it introduces new matter into the disclosure. Applicants respectfully disagree. In the amendment filed May 21, 2007, applicants added the following sentence:

[00129]: "At block 1068, the routine can generate a post-application event that indicates that a mutation was applied."

This added sentence is fully supported by the specification and figures as originally filed. See, e.g., Figure 10B as originally filed, in which element 1068 states: "Generate Post-application Event." Therefore, the material added to paragraph [00129] was fully supported by the specification and figures as originally filed, and does not introduce new matter into the disclosure of the invention. Accordingly, applicants respectfully request withdrawal of this objection.

B. Response to the Rejections of Claims 1-24, 26-30, 32, 34-36, and 53-65 under 35 U.S.C. § 103(a)

The Office Action rejected claims 1-24, 26-30, 32, 34-36, and 53-65 under 35 U.S.C. § 103(a) as being unpatentable over Shi, Bray, and Schoens. In rejecting these claims, the Office Action stated that claim 1 specifies "a standard revision protocol of 'checking out' all or part of a document or code, and attempting to 'check in' the revised document or code." (Office Action, p. 3.) Applicants respectfully disagree with this characterization of claim 1. Applicants' technology enables a synchronized view of a hierarchical document for users of the hierarchical document. Applicants' technology enables a client to obtain a copy of the hierarchical document, make changes to the copy of the hierarchical document (or portion thereof), and send a message to a server (or another client) with a request to modify the hierarchical document in accordance with the changes made. The server (or other client) can make the requested modification to the hierarchical document, and the modification can then be propagated to other clients. After having submitted the modification request, the client can still modify the copy of the hierarchical document.

Although applicants disagree with the rejections of claims 1-24, 26-30, 32, 34-36, and 53-65, they have nevertheless amended independent claims 1, 13, 26, 30, and 53 to more distinctly claim their inventions. For example, amended claim 1 now recites:

loading at least a portion of the local copy of the hierarchical document into the memory of the client computing device;

receiving an indication of a requested mutation to the in-memory portion of the local copy of the hierarchical document from a user;

sending a message to the server computing device containing the requested mutation, wherein the in-memory portion of the local copy of the hierarchical document remains available for editing by the user;

Support for these amendments may be found, e.g., at paragraphs [0090] (describing a client loading a subset of a document) and [00140] (describing how a client may continue to perform other mutations to its local copy of the document after having sent a mutation request to a server).

Shi, Bray and Shoens, alone or in combination, do not disclose or suggest the features of amended claim 1. Shi describes a source control system for a versioned object (e.g., a source code file), in which multiple users can check out, edit, and check in different portions of the versioned object. (Shi, 1:53-55.) Shi's technology enables a user to check out a source code document (or portion thereof), edit the document, and check the document back in. In source control systems such as that described in Shi, after a user has checked in a document, the user must check the document out again in order to edit the document. This is done, as noted by Shi, to ensure that "a single version of the data is available for all users." (Shi, 1:20-22.) Therefore, Shi does not teach or suggest "wherein the in-memory portion of the local copy of the hierarchical document remains available for editing by the user," as recited in amended claim 1. In fact, Shi teaches away from this feature. Bray is relied on in the Office Action for describing a structured authoring system, and Shoens for describing messaging indicating changes to hierarchical documents. (Office Action, p. 4.) Even assuming, for the sake of argument, that this is correct, Bray and Shoens fail to cure the above-noted deficiencies of Shi with respect to amended claim

1. Accordingly, independent claim 1 and dependent claims 2-12 are patentable over Shi, Bray and Shoens. Therefore, applicants respectfully request that the Examiner reconsider and withdraw the rejections of independent claim 1 and dependent claims 2-12.

Claims 13-24 have been amended to recite "wherein the in-memory portion of the local copy of the hierarchical document remains available for editing by the user." As discussed above, Shi, Bray and Shoens, alone or in combination, do not teach or suggest this feature. Accordingly, claims 13-24 are patentable over Shi, Bray and Shoens.

Claims 26-29 have been amended to recite "wherein the in-memory portion of the client copy of the hierarchical document remains available for editing by the author." As discussed above, Shi, Bray and Shoens, alone or in combination, do not teach or suggest this feature. Accordingly, claims 26-29 are patentable over Shi, Bray and Shoens.

Claims 30, 32, and 34-36 have been amended to recite "wherein the in-memory portion of the client copy of the hierarchical document remains available for editing on the document source client computer system." As discussed above, Shi, Bray and Shoens, alone or in combination, do not teach or suggest this feature. Accordingly, claims 30, 32, and 34-36 are patentable over Shi, Bray and Shoens.

Claims 53-65 have been amended to recite "wherein the in-memory portion of the copy of the hierarchical document remains available for editing on the client computing device." As discussed above, Shi, Bray and Shoens, alone or in combination, do not teach or suggest this feature. Accordingly, claims 53-65 are patentable over Shi, Bray and Shoens.

C. Response to the Rejections of Claims 25, 31, 33, and 37-52 under 35 U.S.C. § 103(a)

The Office Action rejected claims 25, 31, 33, and 37-52 under 35 U.S.C. § 103(a) as being unpatentable over Shi, Bray, Shoens, and Cramer. Claim 25 depends from base claim 13, and claims 31 and 33 depend from base claim 30. As discussed above, Shi, Bray and Shoens fail to teach or suggest the features of base claims 13 and 30. Cramer

fails to cure the above-noted deficiencies of Shi, Bray, and Shoens to support Section 103 rejections of base claims 13 and 30. Accordingly, claims 25, 31, and 33 are patentable over the combination of Shi, Bray, Schoens and Cramer for at least the reason that these references, either alone or in combination, fail to teach or suggest the features of claims 13 and 30. Therefore, applicants respectfully request that the Examiner reconsider and withdraw the rejections of claims 25, 31, and 33.

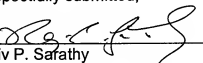
Claims 37-52 have been amended to recite "wherein the in-memory portion of the hierarchical document remains available for editing on the computing device." As discussed above, Shi, Bray and Shoens, alone or in combination, do not teach or suggest this feature. Cramer fails to cure the above-noted deficiencies of Shi, Bray, and Shoens to support Section 103 rejections of claims 37-52. Accordingly, independent claim 37 and dependent claims 38-52 are patentable over Shi, Bray, Shoens and Cramer. Therefore, applicants respectfully request that the Examiner reconsider and withdraw the rejections of independent claim 37 and dependent claims 38-52.

Conclusion

The claims each recite a novel combination of elements that is neither taught nor suggested by the applied references and so cannot be properly rejected under 35 U.S.C. §§ 102 or 103. In view of the above amendment, applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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